

IN SENATE OF THE UNITED STATES.

JANUARY 10, 1848.

Submitted, and ordered to be printed.

MR. UNDERWOOD, made the following

REPORT:

[To accompany bill S. No. 65.]

*The Committee of Claims, to whom was referred the memorial of Edward Bolon, praying for reimbursement of expenses and compensation for keeping prisoners for the United States confined on criminal charges, have had the same under consideration, and report:*

The facts in this case are clearly and succinctly set forth in the report of the Committee of Claims, at the 2d session of the 20th Congress, hereunto annexed; and, in the opinion of your committee, entitle the memorialist to relief. They, therefore, recommend the passage of the accompanying bill.

IN SENATE OF THE UNITED STATES.—February 24, 1847.

MR. JOHNSON, of Maryland, made the following report:

*The Committee of Claims, to whom was referred the memorial of Edward Bolon, report:*

It appears that, in the spring of 1840, petitioner was jailer of Calhoun county, in Florida Territory. Two prisoners of the United States were confined in jail for murder.

The house used as a jail was very insecure. The United States marshal made a written contract with petitioner to keep, feed, and guard those prisoners, and feed the guard, for \$5 per day. This is less than what the jailer was allowed by the Florida laws for his fees. Two men, at least, were necessary to keep continual guard by day and night when but one prisoner. Such was the practice. When more than one, additional guards were allowed, if the jail was insecure. The legal allowance for each guard was \$1 25, besides board; and for each prisoner and guard, 37½ cents per diem.

was the allowance fixed by the Florida law, and one-third added for United States cases. The United States are responsible for, and have paid for keeping United States prisoners. The Treasury officers have paid them on accounts rendered by the United States marshal, and with funds sent to him. In this case, the United States marshal went to Texas, leaving the accounts unpaid. The Treasury refuse to pay except through the marshal. The marshal being in default, they have sued on his bond and got judgment against his sureties for the public moneys in his hands. The account of claimant is fully proved. The marshal's affidavit is adduced, and also the original agreement. The charge is \$5 per diem for guarding and for feeding both prisoners and guard, from April 20, 1840, to September 25, 1840—158 days, \$790; and from September 25, 1845, after which but one prisoner, at \$4 per day—96 days, \$384; making in all \$1,174, for which a bill is reported. The bill was passed last session of the Senate, and was not reached in the House. New additional evidence has been adduced since the passage of the bill last session.